



Congressman Tim Bishop

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BISHOP: STREAMLINING OF H-2B VISA PROCESS WILL HELP LI BUSINESSES

Washington, DC—Today Congressman Tim Bishop (NY-1) applauded the U.S. Department of Labor (DOL) for its new plan to issue regulations to streamline the H-2B visa approval process for non-agricultural seasonal workers. The H-2B program is vital to small businesses on Long Island because their seasonal employment cycles depend heavily on temporary workers. This summer, Long Island employers have faced significant processing delays because of backlogs in the visa processing system.

"Employers filing for H-2B visas are trying to work hard and play by the rules," said Bishop. "I have worked closely with scores of small businesses on Eastern Long Island to try to help them legally meet their labor needs. Ultimately, we need a permanent solution to the visa problems, which continue to constrict our local economy. However, this streamlining of the H-2B visa application process is a critical step forward. "

DOL's proposed rule will speed processing by moving from a government-certified system to an employer-attestation system along the lines of the Permanent Electronic Review Management (PERM) system, which allows employers to apply to hire foreign workers when there are no able, willing and qualified U.S. workers available. This year, businesses on Eastern Long Island were negatively affected by major backlogs with the New York State Department of Labor and DOL, stemming from an increase in applications combined with consolidating regional processing centers. While employers will still need to provide the same information, they will be able to do so electronically under the PERM system. Instead of each application being scrutinized, which can add months to the process, there will be an auditing check for some applications.

"This change will enforce our laws without punishing small businesses," said Bishop.

The PERM system has proven successful in reducing backlogs in other areas. The H-2B changes are part of a series of reforms the Department of Homeland Security and other agencies are pursuing to address border security and immigration challenges. H-2B visas are typically issued on Eastern Long Island for workers between approximately March and Labor Day. The visa can be good for up to 10 months but is only valid during the period of employment. H-2B workers must be paid prevailing wages and any firm seeking such workers must have already advertised locally to fill those jobs. There is a 66,000 seasonal cap for H-2B visas.